

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK ANTHONY BROWN,
Plaintiff,
v.
F. RODRIGUEZ, et al.,
Defendants.

No. 1:20-cv-00661-NONE-EPG (PC)

ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S MOTION
TO CANCEL EARLY SETTLEMENT
CONFERENCE

(ECF No. 37)

On November 30, 2020, Plaintiff Mark Anthony Brown ("Plaintiff") filed a motion to cancel the scheduled early settlement conference, to open discovery, and to order Defendants to file a dispositive motion. (ECF No. 37). Plaintiff states that following correspondence and conversations with Defendants' counsel, he believes a settlement conference would be futile. (*Id.* at 2-3). He requests that "both parties be afforded the opportunity to participate in discovery to the full extent in preparation [for] trial" and "asks that the Court to order Defendants to file disposition motion or any other motion deemed just and proper by the Court." (*Id.* at 3).

Given Plaintiff's statement that an early settlement conference would be futile, the Court will not order the parties to engage in a settlement conference. Therefore, the Court will vacate the early settlement conference scheduled for January 26, 2021.

However, the Court will not fully open discovery or order Defendants to file any dispositive motions at this time. The Court has set a scheduling conference for January 20, 2021

1 and has ordered that the parties exchange initial disclosures. (ECF No. 31). At the scheduling
2 conference, the Court will make additional orders concerning discovery and deadlines to file
3 dispositive motions.

4 Accordingly, it is HEREBY ORDERED that:

- 5 1. Plaintiff's motion to cancel the early settlement conference is GRANTED, IN PART,
6 and DENIED, IN PART;
- 7 2. The settlement conference scheduled for January 26, 2021 is VACATED; and
- 8 3. In all other respects, Plaintiff's motion is DENIED.

9 IT IS SO ORDERED.

10 Dated: **December 1, 2020**

11 /s/ Eric P. Grogan
12 UNITED STATES MAGISTRATE JUDGE
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